

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re application of:** Pellet and Sanchez-Martinez

**Patent No.** 6,126,944

**Issued:** October 3, 2000

**Confirmation No.** 9684

**For:** BACULOVIRUS EXPRESSION VECTORS  
AND RECOMBINANT ANTIGENS FOR  
DETECTING TYPE-SPECIFIC  
ANTIBODIES TO HERPES SIMPLEX  
VIRUS

**FILED VIA EFS**

**Examiner:** Kenya A. McLaughlin

**Art Unit:** 1623

**Attorney Reference No.** 6395-87124-02

FILED VIA ELECTRONIC FILING SYSTEM  
COMMISSIONER FOR PATENTS

**DECLARATION OF CYNTHIA SHERWOOD**

1. I, Cynthia Sherwood, am a Technology Development Coordinator for the Centers for Disease Control and Prevention (hereinafter "the CDC") Technology Transfer Office (TTO) in Atlanta, Georgia, a part of the Government of the United States of America which is the Assignee of the above-referenced patent. Prior to beginning work at the CDC in 2002, I had been a paralegal since November 1987 at the Department of Justice in the U.S. Attorney's office in Atlanta, Ga., where I specialized in criminal matters. In that capacity I worked with an appeals database and with a firearms program database, and I was responsible for converting the firearms database from an Excel spreadsheet to an Access database. My other duties included assisting the U.S. Attorneys in the preparation of briefs and at trial. I started working at CDC TTO in May 2002 as an intellectual property and database manager. Beginning in 2007, I trained Ms. Veronica Brown to enter patent correspondence and documentation into the CDC's electronic database (Inteum). My present declaration provides additional information about that training.

2. I have determined from employment records that Veronica Brown was employed as a secretary at CDC beginning in 1984. In the year 2000 she began working in the CDC TTO as a Technology Transfer Assistant. She was promoted in 2007 to the Management and Program

Analyst position that she currently holds. That job requires her to analyze legal documents from intellectual property law firms, extract information from them, and incorporate pertinent data into the CDC intellectual property database. Beginning on approximately October 1, 2007 she became responsible for updating the Inteum IP database by entering patent deadlines into the database. She was trained in the performance of that duty by me because I had worked at CDC TTO as the Inteum database manager since 2002.

3. I reviewed all of Ms. Brown's Inteum database entries for accuracy from approximately October 2007 until approximately February 2009. Once Ms. Brown made a database entry based on receipt of a patent document, I reviewed the original PTO or other patent office document to confirm that the appropriate dates had been entered into the database to generate the appropriate patent prosecution or maintenance deadlines. I only reviewed the accuracy of the entered information, and did not independently track whether every patent document that was received by CDC TTO was docketed. Ms. Brown performed her duties well while her work was being reviewed by me, and Ms. Brown gained my confidence and that of others at CDC TTO in the performance of the Inteum database duties. There was no indication during this extended time period that Ms. Brown had overlooked entering any Office Action or other patent related deadline. Ms. Brown continued to perform her duties well, and by February 2009 she was evaluated by Andrew Watkins, the then-Director of the CDC TTO, and found to be capable of continuing to perform her Inteum database duties without further training. From that date until the present time she has continued to update the Inteum database at CDC without review of her database entries.

4. All statements made herein and of my own knowledge are true and all statements made on information are believed to be true; and further, these statements were made with the knowledge that willful false statements and like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statements made may jeopardize the validity of the application or any patent issuing thereon.

MARCH 26, 2012  
Date

Cynthia Sherwood  
Cynthia Sherwood